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## **REGULAR SEMI-MONTHLY MEETING**

### **August 23, 2022**

The regular semi-monthly meeting of the Board of Supervisors, Hanover Township, Northampton County, was called to order by Chairman John Nagle at the Hanover Township Municipal Building, 3630 Jacksonville Road, Bethlehem, PA, 18017 at 7:00 P.M.

Present were Supervisors Warren, Lawless, Diacogiannis, Prendeville, Engineer Brien Kocher, Solicitor Jim Broughal, and Manager Finnigan.

The Pledge of Allegiance was performed.

Upon motion of Ms. Lawless, seconded by Mr. Warren, the Board approved the agenda.

Ms. Lawless aye, Mr. Warren aye, Mr. Diacogiannis aye, Mr. Prendeville aye, Mr. Nagle aye.

Upon motion of Ms. Lawless seconded by Mr. Warren, the Board approved the minutes from the meeting of the Board of Supervisors dated July 26, 2022.

Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye, Mr. Nagle aye.

Upon motion of Ms. Lawless seconded by Mr. Warren, the Board approved the list of bills and transfers dated August 23, 2022.

Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye, Mr. Nagle aye.

#### **COURTESY OF THE FLOOR**

Patricia Watson of 694 Briarstone Rd, asked for clarification of ordinances regarding shrubs or plantings on her property done by neighbor. Does she go to zoning hearing board? Ms. Watson has been in contact with zoning officer, Yvonne, and is awaiting a response to rectify situation. Mr. Broughal said zoning hearing would not handle issue, the Township's zoning officer Yvonne would be involved to determine if neighbor has broken an existing ordinance. He stated boundary lines are not a public matter and it would need to be handled civilly if Yvonne doesn't identify an ordinance violation. Mr. Finnigan took her information to follow up with Yvonne.

#### **REPORT OF THE CHAIR**

Mr. Nagle reported National Night Out was held on Tuesday, August 2<sup>nd</sup>, 2022, and the upcoming HTCC event is the Hanover Carnival on Wednesday September 7<sup>th</sup> – 10<sup>th</sup>, 2022. There will be rides, food and it will held at the Community Center.

#### **REPORT OF THE VICE CHAIR**

Mr. Prendeville has nothing to report.

#### **SUPERVISOR'S COMMENTS**

Mr. Nagle – Road District #1, had nothing to report.

Mr. Diacogiannis– Road District #2, has nothing to report. Mr. Diacogiannis gave update on Colonial Regional Police. CRPC's plan to hire an additional officer for next year is underway. 47 applicants have registered to take the test. Mr. Diacogiannis discussed the Northampton County Task Force DUI checkpoint.

He said officers from all over Northampton County take part in the checkpoints. Mr. Diacogiannis reported that most of the DUI's were drug related not liquor related, the majority of the people were not residents of Hanover Township.

Mr. Warren – Road District #3, Mr. Warren wanted to commend CRPD in regard to an incident on Stafore Drive in which a child was hit by a car, no serious injuries. CRPD did fantastic with response. Mr. Warren expressed concern to get signage up. Mr. Finnigan replied CRPD put speed board up in area.

Ms. Lawless – Road District #4, reported school has started, and reminded the public to keep alert to school zones and crossing.

Mr. Prendeville – Road District #5, had nothing to report.

#### APPOINTMENTS AND RESIGNATIONS – BOARDS, COMMISSIONS AND COMMITTEES

Mr. Warren announced his family is planning to move to Bethlehem Township. Mr. Warren said his last day will be September 30, 2022. He will miss the opportunity to serve the public and it has been an honor.

#### PLANNING & ZONING – Ms. Lawless

##### **Nazareth Area Multi-Municipal Plan**

##### **PUBLIC HEARING**

A court stenographer was present for the Public Hearing concerning the Nazareth Area Multi-Municipal Comprehensive Plan.

##### **Nazareth Area COG- Advertisement of Proposed Ordinance**

Ms. Lawless moved the Board advertise the proposed ordinance 22-4 permitting the Township to join and fully participate in the Nazareth Area COG.

Mr. Warren seconded the motion.

Ms. Lawless aye, Mr. Warren aye, Mr. Diacogiannis aye, Mr. Prendeville aye, Mr. Nagle aye.

##### **Zoning Hearing Board – 789 Briarstone Rd**

The applicant is requesting relief from the provisions of the Ordinance pertaining to privacy screen and maximum allowable dimension for a patio in the PHR Zoning District.

The Board does not want to send representation to the Zoning Hearing Board meeting scheduled for September 27, 2022.

#### ADMINISTRATION – Mr. Diacogiannis

##### **Appointment of Township Secretary/Assistant Treasurer**

Mr. Diacogiannis moved to appoint Christina M. Thomas, Secretary / Assistant Treasurer effective September 12, 2022. Mr. Diacogiannis further moved to adopt Resolution Number 2022 - 16.

Appointment is contingent upon the satisfactory completion of Act 15 background checks.

Mr. Prendeville seconded the motion.

Ms. Lawless aye, Mr. Warren aye, Mr. Diacogiannis aye, Mr. Prendeville aye, Mr. Nagle aye.

##### **Appointment of Township Managers Secretary**

Mr. Diacogiannis moved to appoint Kimberly R. Schanewolf, Township Managers Secretary effective September 12, 2022. Ms. Schanewolf's compensation is set at \$19.25 per hour, or \$1,540.00 bi-weekly, payable from the Township's General Fund. Position is Non-Exempt. Appointment is contingent upon the satisfactory completion of Act 15 background checks.

Mr. Prendeville seconded the motion.

Ms. Lawless aye, Mr. Warren aye, Mr. Diacogiannis aye, Mr. Prendeville aye, Mr. Nagle aye.

### **American Rescue Fund Act – 2<sup>nd</sup> Disbursement Premium Pay – Discussion**

Mr. Prendeville stated it has been some time since the first disbursement was made and wants to go through a motion to get the second round disbursed as soon as possible. Mr. Finnigan stated the Board asked staff for a document last year of recommended uses for the American Rescue Funds and it was staff's recommendation to give \$2,500 to give each person who had been employed by the Township during the Pandemic and continued to be employed by the Township as of the date of disbursement. The Board decided to do \$3,500 in November 2021, and that was given to 21 people. There have been 3 resignations recently so the total would be for 17 individuals who would now be eligible in 2022. Ms. Lawless stated she assumed the second round was pre-approved when discussed last year. Mr. Nagle stated that it was pre-approved but with inflation they thought the employees would appreciate the second round now in September instead of waiting for November, so it was more a discussion of the timing. Mr. Finnigan stated the discussion would also be for the dollar amount as it was previously agreed upon at \$2,500, so if they would like to agree on the timing and the dollar amount to be disbursed. Mr. Prendeville asked how soon the disbursement can be made, can it be made the next pay period? Mr. Finnigan responded yes.

Mr. Prendeville moved the Board authorize the second disbursement to eligible employees from the American Rescue Plan Funds consistent with the first pay out to eligible employees only, at \$3,500.00 per individual.

Mr. Warren seconded the motion.

Ms. Lawless aye, Mr. Warren aye, Mr. Diacogiannis aye, Mr. Prendeville aye, Mr. Nagle aye.

### **Anti-Nepotism Policy / Ordinance – Discussion**

Mr. Diacogiannis stated the Board received a copy of a draft ordinance from Ms. Lawless. Ms. Lawless stated her concern for passing and drafting an ordinance is for full-time employees. She stated she believes an ordinance is better than a handbook policy because it will become "law" of the township and has a broader application. She stated the ordinance would not affect any current full-time employee and it would apply to future hiring practices and would not be a preclusion to hiring relatives. Hanover Township can hire relatives, but they would not have direct supervision over the relative or direct input over the relative's salary. Mr. Diacogiannis asked Chairman Nagle if the draft ordinance from Ms. Lawless was sent to Hanover Township's council. Mr. Nagle stated it was sent to Mr. Harrison for review and have not heard back from him. Mr. Nagle stated Mr. Harrison has weighed in on the topic in previous discussions and he is an expert in labor law, he was involved in writing the current policy on the employment of relatives and non-fraternization. The current policy states there is no-prohibition on hiring family members, but they may not be under direct supervision of the family member. Mr. Nagle stated that ordinances by definition are addressed to the citizenry, policies are directed to the employees' part or full time of the Township. Mr. Nagle states his opinion that this should not be an ordinance, and states it is also the opinion of our expert in Labor law, Mr. Harrison. Mr. Nagle stated that there are basically no changes in Ms. Lawless's draft ordinance and our current policy, it is just longer. Ms. Lawless said her ordinance appears longer because it is in a different format, and she has a great deal of respect for Mr. Harrison with what we can and cannot do legally. Ms. Lawless stated Mr. Harrison's advice that was given to the board to the difference between ordinance and policy is that an ordinance is law, it is not subject to discretion, and must be followed. Ms. Lawless stated that we have empirical data the current policy has not been followed. Mr. Warren agreed with Ms. Lawless that it should be an ordinance and it should be law and it gives more power and authority to the residents. Mr. Broughal stated he disagreed with the ordinance. He stated the policy is the "law". There is no discretion with the Policy, a policy is a policy and that is the law you adopted and should follow. Mr. Broughal agrees with Mr. Harrison that a policy is the appropriate decision. Mr. Broughal stated yes could you have an ordinance regarding employee matters, YES. But doesn't think it

is necessary. Mr. Diacogiannis stated that he agreed with Mr. Broughal that it should remain a policy and he feels the draft ordinance is not adding anything new to current policy.

Ms. Lawless moved the board to adopt an ordinance for Anti-Nepotism.

Mr. Warren seconded the motion.

Ms. Lawless aye, Mr. Warren aye, Mr. Diacogiannis nay, Mr. Prendeville nay, Mr. Nagle nay,  
Motion fails.

### **Budget Workshop – Advertisement**

Mr. Diacogiannis moved the Board authorize the assistant secretary to advertise budget workshop meetings to be held on September 21, 2022, and October 18, 2022.

Mr. Prendeville seconded the motion.

Ms. Lawless aye, Mr. Warren aye, Mr. Diacogiannis aye, Mr. Prendeville aye, Mr. Nagle aye.

### DEVELOPMENTS- Mr. Warren

#### **Farmhouse Village**

Mr. Warren moved the Board authorize the assistant secretary to sign the sewage facilities planning module documents for Farmhouse Village.

Ms. Lawless seconded the motion.

Ms. Lawless aye, Mr. Warren aye, Mr. Diacogiannis aye, Mr. Prendeville aye, Mr. Nagle aye.

### **Hanover Corporate Center 2 Lot 10 – End of Maintenance Period**

Mr. Warren moved the Board authorize the end of maintenance period and close-out of this project, conditioned upon the Developer adhering to Township Policy 8 (payment of Plans and Appeals Accounts).

Ms. Lawless seconded the motion.

Mr. Warren aye, Ms. Lawless aye, Mr. Diacogiannis aye, Mr. Prendeville aye, Mr. Nagle aye.

### PUBLIC WORKS- Mr. Prendeville

Mr. Finnigan stated bid documents were finalized August 9<sup>th</sup>, 2022. On August 9<sup>th</sup>, Mr. Finnigan notified 2 pool companies and 3 general contractors that bid documents were available. Mr. Finnigan emailed the documents to them on August 12<sup>th</sup>, 2022. As of August 23, 2022, one pool contractor picked up a bid packet.

Mr. Finnigan discussed with BKP and the pool contractor that picked up the bid that no contractor is jumping to put in bids on projects like this partially because of supply shortage or higher costs of materials. The pool contractor that picked up the bid packet mentioned that contractors are leery in sticking their neck out to formulate bids for small contracts like ours. Ms. Lawless stated that this is in line with the Stormwater Bids we recently bid.

### COURTESY OF THE FLOOR

No one offered comments.

### STAFF REPORTS

**Engineer** – Mr. Kocher had nothing to report

**Solicitor** – Mr. Broughal had nothing to report

**Public Works**- absent

**Recreation Director**- John Byrne stated National Night Out was a free community event from 6-8 Pm, CRPD was present, HTVFC was present, food, entertainment, and birch beer. John stated Bingo was held August 4<sup>th</sup>, and it was very quiet, but patrons brought their MusikFest mugs. John stated women's move for health is still going on, women of all ages are invited, and they will have 5k at Bethlehem Twp. John stated

the Preschool open house was on August 13<sup>th</sup>, 2022. John stated Pickleball is picking up and they have it everyday from 12:30-2:30pm, and there was a pickleball party on Thursday August 18<sup>th</sup>, 2022. John stated the Hanover Carnival is Sept 7-10<sup>th</sup> and held at the municipal complex. John stated Flag Retirement is going to be held on September 11<sup>th</sup>, 2022. John stated Fall Fest will be Oct 1<sup>st</sup>, 2022, it will have a pumpkin patch, wood carver, and raffle.

**Township Manager** – Mr. Finnigan stated that Yvonne had met with Patricia Watson of 694 Briarstone Rd's neighbor and the rocks are being removed from the swale and will put grass in and will move her garden next year after the garden is done for the season. Mr. Finnigan said the electronic message boards are now linked to the National Weather Service and the 911 Center to alert residents of weather conditions in the township. Mr. Finnigan complimented CRPD and the task force at the DUI checkpoint. He stated the CRPD officers were professional, and you can tell from CRPD's younger officers that the professionalism trickles down from the top. Mr. Finnigan gave an update on the water issue in the Westgate section of the Township. Mr. Finnigan stated Utilities Inc. gave three different options; short term fix, intermediate fix, and a long-term solution that will be very expensive.

Upon motion of Mr. Nagle the Board adjourned at 8:27 pm.

Beth A. Bucko  
Assistant Secretary